



of

with reference to

THE BRITISH NORTH AMERICA ACT

						SECTION 91																							SECTION 92																
		(1)	(2)	(3)	(4)	(5)	a	1	2	3	7	9	10	12	15	21	22	23	24	25	26	27	29	b	1	2	4	5	7	8	9	10	11	12	13	14	15	16	1	3	8				
Cuvillier v. Aylwin	1832	2 Knapp 72	I	198																																									
In re Marois	1862	15 Moo. P.C.189	I	202	Chelmsford																																								
Reg. v. Coote	1873	L.R. 4 P.C. 599	I		Collier																																								
L'Union St.Jacques v. Belisle	1874	L.R. 6 P.C. 31	I	206	Selborne																																								
Dow v. Black	1875	L.R. 6 P.C.272	I	212	Colvile																																								
Quebec v. Queen Insee.Co.	1878	3 1090	I	222	Jessel																																								
Valin v. Langlois	1879	5 115	I	247	Selborne																																								
Cushing v. Dupuy	1880	5 409	I	253	Smith																																								
Bourgoin v. Montreal Rlwy. Co.	1880	5 404			Colvile																																								
Citizens Insee.Co. v. Parsons	1881	7 96	I	267	Smith																																								
Dobie v. Temporal- ities Board	1881	7 136	I	293	Watson																																								
Russell v.The Queen	1882	7 829	I	310	Smith																																								
Ontario v. Mercer	1883	8 767	I	322	Selborne																																								
Hodge v. The Queen	1883	9 117	I	333	Fitzgerald																																								
Colonial Bldg.Ass. v. Quebec	1883	9 157	I	349	Smith																																								
Quebec v. Reed	1884	10 141	I	360	Selborne																																								
Bank of Toronto v. Lambe	1887	12 575	I	378	Hobhouse																																								
St.Catherine's Milling Co.v. R.	1888	14 46	I	390	Watson																																								
British Columbia v. Canada	1888	14 295	I	403	Watson																																								
Maritime Bank v. Receiver General	1892	437	I	414	Watson																																								
Winnipeg v. Barrett	1892	445	I	421	Macnaghten																																								
Tennant v. Union Bank of Canada	1894	31	I	433	Watson																																								
Voluntary Assign- ments Case	1894	189	I	447	Herschell																																								
Brophy v. Manitoba	1895	202	I	457	Herschell																																								
Ontario Liquor License Case	1896	348	I	481	Watson																																								
Esquimalt v.Nanaimo Rly. v. Bainbridge	1896	561	I	501	Watson																																								
Fielding v. Thomas	1896	600	I	506	Halsbury																																								
Indian Annuities Case	1897	199	I	517	Watson																																								
Brewers & Maltsters v. Ontario	1897	231	I	529	Herschell																																								
Queen's Counsel Case	1898	247	I	535	Watson																																								
Fisheries Case (Canada v. Ontario)	1898	700	I	542	Herschell																																								
C.P.R. v.Bonsecours	1899	367	I	558	Watson																																								
Union Colliery v. Bryden	1899	580	I	564	Watson																																								
Madden v. Nelson & Fort Sheppard	1899	626	I	571	Halsbury																																								
Manitoba v.Liquor Licence Holders	1902	73	I	574	Macnaghten																																								
Lambe v. Manuel	1903	68	I	580	Macnaghten																																								
Ontario Mining Co. v. Seybold	1903	73	I	584	Davey																																								
Cunningham v. Tomey Homma	1903	151	I	594	Halsbury																																								
Ontario v. Hamilton Street Rly.	1903	524	I	600	Halsbury																																								
P.E.I. v. Canada	1905	37	I	605	Wilson																																								
Toronto v. Bell Telephone	1905	52	I	617	Macnaghten																																								
British Columbia v. C.P.R.	1906	204	I	624	Wilson																																								

- (1) - volume of appeal cases
 (2) - page in appeal cases
 (3) - Volume of Cameron's Cases
 (4) - page in Cameron
 (5) - person who delivered judgement
 91-a - introductory words of s.91
 91-b - concluding words of s.91
 A - History & objects of B.N.A. Act
 - Nature of legislative power
 - Abuse of power
 - Interference by Dominion with province or vice versa

- B - B.N.A. Act exhaustive
 C - Esterritoriality
 - General rules re 91 & 92
 - Trenching
 D - Ancillary or incidental legislation
 E - Double Aspect rule
 - True nature of legislation
 - Pith & Substance
 - Possibility of future conflict

- F - Overlapping field
- Dominion prevails
- Concurrent legislation
- Conflicting legislation
- Repugnance or occupied field
- G - Delegated or Conditional leg.
- H - Parliament's interpretation
- I - Reference to 1867, history or extraneous circumstances
- J - References & academic questions

- L - Appeals to F.C. & leave to appeal
- M - Dominion Companies
- N - Provincial constitutions
- P - Applicability of laws of England or France
- Q - Indirect attempts
- X - General rules of interpretation

					SECTION 91										SECTION 92										O															
	(1)(2)	(3)	(4)	(5)	a	1	2	3	6	8	10	12	15	24	25	26	27	29	b	1	2	5	8	9	10	11	12	13	14	15	16	9	12	14	15	16	56	58	6	
Wyatt v. Quebec (Fishing Rights)	1911	489	I	693	Macnaghten																																			
The King v. Lovitt	1912	212	I	700	Robson																																			
Montreal v. Montreal St.Rly.	1912	333	I	711	Atkinson																																			
Ontario v. Canada (Companies Reference)	1912	571	I	723	Loreburn																																			
Toronto & Niagara v. North Toronto	1912	634	I	740	Haldane																																			
Marriage Reference	1912	880	I	749	Haldane																																			
Royal Bank v. K.	1913	283	I	756	Haldane																																			
B.C. v. Canada (Fishing)	1914	153	I	769	Haldane																																			
Cotton v. K.	1914	176	I	788	Moulton																																			
John Deere Flow v. Wharton	1915	330	I	806	Haldane																																			
Alberta v. Canada	1915	36	I	818	Moulton																																			
Insurance Reference	1916	1	588	II	63	Haldane																																		
Companies Reference	1916	1	598	II	71	Haldane																																		
Bonanza Creek v. K.	1916	1	566	II	75	Haldane																																		
Hamilton G. & B.Ry. v. A.G. for Ont.	1916	2	583	II	93	Buckmaster																																		
Smith v. Vermillion Hills	1916	2	569	II	97	Haldane																																		
Ottawa Separate Schools v. Ottawa	1917	76	II	102	Buckmaster																																			
Ottawa Separate Schools v. Mackell	1917	62	II	108	Buckmaster																																			
A.G. for Canada v. Ritchie	1919	999	II	119	Dunedin																																			
Walker v. Walker	1919	947	II	130	Haldane																																			
Board v. Board	1919	956	II	124	Haldane																																			
Toronto Gen'l Trusts v. K.	1919	956	II	136	Cave																																			
Re Initiative & Referendum Act	1919	935	II	142	Haldane																																			
Workmen's Compensation Board v.C.P.R.	1920	184	II	151	Haldane																																			
Ottawa Separate Schools v.Que.Bank	1920	230	II	158	Dunedin																																			
Toronto Ry. v. Toronto	1920	426	II	165	Finlay																																			
Toronto Ry. v. Toronto	1920	446	II	179	Cave																																			
Faquet v. v. Corp'n. of Pilots	1920	1029	II	186	Haldane																																			
Star Chrome Case	1920	401	II	190	Duff																																			
A.G. for Canada v. A.G. for Que.	1921	1	413	II	198	Haldane																																		
Great West Saddlery v. K.	1921	2	91	II	212	Haldane																																		
C.P. Wine v. Tuley	1921	2	417	II	238	Birkenhead																																		
Wilson v. Esquimalt & Nanaimo Rly.	1922	1	202	II	244	Duff																																		
In re Board of Commerce Act	1922	1	191	II	253	Haldane																																		
Burland v. K.	1922	1	215	II	262	Phillimore																																		
Rex v. Nat Bell Liquors Ltd.	1922	2	128	II	272	Sumner																																		
Scott v. A.G. for Canada	1923	3	W.W.R.	929	Atkinson																																			
Fort Frances Pulp & Paper Press	1923	695	II	302	Haldane																																			

- | | | |
|--|---|---------------------------------------|
| (1) - Volume of appeal cases | B | - B.N.A. Act exhaustive |
| (2) - page in appeal cases | - | - Extraterritoriality |
| (3) - volume of Cameron's cases | C | - General rules re 91 & 92 |
| (4) - page in Cameron | D | - Trenching |
| (5) - person who delivered judgment | D | - Ancillary or incidental legislation |
| 91-a - introductory words of s.91 | E | - Double Aspect rule |
| 91-b - concluding words of s.91 | - | - True nature of legislation |
| A - History & objects of B.N.A. Act | - | - Pith & Substance |
| - Nature of legislative power | - | - Possibility of future conflict |
| - Abuse of power | | |
| - Interference by Dominion with province or vice versa | | |

69	90	93	95	96	99	100	101	102	108	109	117	121	125	129	132	146	A	B	C	D	E	F	G	J	L	M	N	O	P	Q	R	S	T	X
----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

- | | | | |
|---|-------------------------------------|---|-----------------------------------|
| F | - Overlapping field | R | - Indirect or colourable attempts |
| | - Dominion prevails | R | - Sovereignty |
| | - Concurrent legislation | S | - Statute becomes law when passed |
| G | - Repugnancy or occupied field | T | - Treaty powers |
| J | - Delegated or Conditional leg. | X | - General rules of Interpretation |
| L | - References & academic questions | | |
| M | - Appeals to P.C. & leave to appeal | | |
| N | - Dominion companies | | |
| O | - Provincial constitutions | | |
| P | - Validity assumes | | |
| | - Applicability of laws of England | | |
| | or France | | |

					SECTION 91																									SECTION 92											
		(1)	(2)	(3)	(4)	a	1	2	3	5	7	8	9	10	12	14	15	16	18	19	21	22	23	25	27	29	b	1	2	8	9	10	13	14	15	16	11	21	23	24	
Montreal v. Harbour Commissioners	1926	299	II	425	Haldane																																				
A.G. for B.C. v. C.P.R.	1927	934	II	441	Haldane																																				
Luscar Collieries v. McDonald	1927	925	II	445	Warrington																																				
Minister of Finance v. Smith	1927	194	II	452	Haldane																																				
Royal Bank v. Larue	1928	187	II	455	Cave																																				
Hirsch v. Protestant-Schools	1928	200	II	465	Cave																																				
Halifax v. Fairbanks	1928	117	II	477	Cave																																				
A.G. for Alberta v. A.G. for Canada	1928	475	II	484	Buckmaster																																				
K. v. Caledonian Collieries	1928	358	II	494	Warrington																																				
A.G. for N.S. v. Legislative Counsel	1928	107	II	498	Cave																																				
Tiny Separate School v. K.	1928	363	II	505	Haldane																																				
A.G. for Man. v. A.G. for Canada	1929	260	II	534	Sumner																																				
Fish Canneries Case	1930	111	P.	1	Tomlin																																				
Edwards v. A.G. (Persons Case)	1930	124	P.	14	Sankey																																				
Erie Beach Co. v. A.G. for Ontario	1930	161	P.	33	Merrivale																																				
A.G. for B.C. v. McDonald Murphy	1930	357	P.	43	Macmillan																																				
Proprietary Articles Case	1931	310	P.	52	Atkin																																				
Sask. Natural Resources Case	1932	28	P.	69	Atkin																																				
Quebec Insurance Reference	1932	41	P.	81	Dunedin																																				
Aeronautics Reference	1932	54	P.	93	Sankey																																				
Toronto v. King (Fines Case)	1932	98	P.	114	Macmillan																																				
Martineau v. Montreal	1932	113	P.	122	Blanesburgh																																				
Radio Reference	1932	304	P.	137	Dunedin																																				
Lymburn v. Mayland	1932	318	P.	149	Atkin																																				
In re Silver Brothers	1932	514	P.	159	Dunedin																																				
Croft v. Dunphy	1933	156	P.	170	Macmillan																																				
Lower Mainland v. Crystal Dairy	1933	168	P.	181	Thankerton																																				
Consolidated Distilleries v. K.	1933	508	P.	191	Russell																																				
Provincial Treas. v. Kerr	1933	710	P.	207	Thankerton																																				
A.G. for B.C. v. Kingcome Navigation	1934	45	P.	223	Thankerton																																				
British Coal Corp. v. The King	1935	500	P.	237	Sankey																																				
Forbes v. A.G. for Manitoba	1937	260	P.	259	Macmillan																																				
The Judges v. A.G. for Sask.	1937	464	P.	273	Rowlatt																																				

- | | | |
|--|---|---------------------------------------|
| (1) - page in appeal cases | C | - General rules re 91 & 92 |
| (2) - volume of Cameron's cases or Plaxton's cases | D | - Trenching |
| (3) - page in Cameron or Plaxton | E | - Ancillary or incidental legislation |
| (4) - person who delivered judgment | | - Double Aspect rule |
| 91-a - introductory words of s. 91 | | - True Nature of legislation |
| 91-b - concluding words of s. 91 | | - Pith & Substance |
| A - History & objects of B.N.A. Act | F | - Possibility of future conflict |
| - Nature of legislative power | | - Overlapping field |
| - Abuse of power | | - Dominion prevails |
| - Interference by Dominion with province or vice versa | | - concurrent legislation |
| B - B.N.A. act exhaustive extraterritoriality | G | - Repugnancy or occupied field |
| | H | - Delegated or Conditional leg. |
| | | - Parliament's interpretation |

3 E 3

I	-	References to 1867, history or extraneous circumstances	U	-	Severability of Crown
J	-	References and academic questions	U	-	Conflict with international law
L	-	Appeals to P.C. & leave to appeal	W	-	Westminster Act
M	-	Dominion companies	X	-	General rules of interpretation
N	-	Provincial constitutions			
O	-	Indirect or colourable attempts			
Q	-	Severability			
R	-	Treaty powers			

